

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In re:

Case No.: 8:15-bk-10966-MGW
Chapter 7

The Health Support Newtork, Inc.

Debtor.

**CHAPTER 7 TRUSTEE'S MOTION TO AUTHORIZE
INTERIM DISTRIBUTIONS AND TO PAY ADMINISTRATIVE EXPENSES**

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Pursuant to Local Rule 2002-4, the Court will consider the relief requested in this paper without further notice or hearing unless a party in interest files a response within 21 days from the date set forth on the attached proof of service, plus an additional three days for service if any party was served by U.S. mail.

If you object to the relief requested in this paper, you must file a response with the Clerk of the Court, 801 N. Florida Ave., Suite 555, Tampa, FL 33602-3899, and serve a copy on the movant, Beth Ann Scharrer, Chapter 7 Trustee, P.O. Box 4550, Seminole, FL 33775-4550, and on her general counsel, David Jennis, 606 East Madison St., Tampa, FL 33602 and any other appropriate person(s) within the time allowed. If you file and serve a timely response, the Court will either schedule and notify you of a hearing or may consider the response and may grant or deny the relief requested without a hearing.

If you do not file a timely response, the Court will consider that you do not oppose the relief requested in this paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

Beth Ann Scharrer, Successor Chapter 7 Trustee (hereinafter referred to as Trustee) for the Estate of The Health Support Network, Inc., files this motion requesting authority to pay administrative claims and to authorize an interim distribution to creditors holding allowed claims in the above-reference case, pursuant to 11 U.S.C §§ 330, 331, and 726 and Fed. R. Bankr. P. 3009. The Trustee states the following in support of the motion:

1. On Oct. 30, 2015, the Debtor filed a voluntary petition under Chapter 7 of the United States Bankruptcy Code (Doc. No. 1).

2. On Oct. 30, 2015, Andrea P. Bauman was appointed as interim trustee and by operation of law became the permanent trustee (Doc. No. 4).

3. On April 26, 2016, Andrea P. Bauman filed her Notice of Resignation of Trustee (Doc. No. 61).

4. On April 26, 2016, Beth Ann Scharrer was appointed as Successor Trustee and is serving as Trustee in this case (Doc. No. 62).

5. To date, the Trustee(s) has employed several professionals in this case and has paid administrative claims pursuant to Court Orders. These claimants, the claim amounts paid, and the corresponding docket entry numbers for those claims are set forth below.

Claims paid by original Trustee:

<u>Claimant</u>	<u>Claim Amount</u>	<u>Doc. Nos.</u>
E-Hounds, Inc.	\$3,500 (expenses)	40, 45
Moecker Auctions, Inc.	\$1,050 (expenses)	40, 45

Claims paid by successor Trustee

Genovese Joblove & Batista	\$264,456.25 (fees)	192, 206
Genovese Joblove & Batista	\$16,431.16 (expenses)	192, 206
Jennis Law Firm (JLF)	\$142.21 (expenses)	193, 206
Jennis & Bowen, PA (J&B)	\$246.38 (expenses)	193, 206
Ver Ploeg & Lumpkin	\$151,087.50 (fees)	192, 206
Ver Ploeg & Lumpkin	\$1,416.04 (expense)	192, 206
Jennis Law Firm, P.A. Trust Acct (FBO JLF and J&B, PA)	\$264,456.25 (fees)	193, 206
WGK-ADR Mediators/Arbitrators	\$3,200.00 (fees)	162, 211
GlassRatner Advisory Cap. Gp.	\$84,441.60 (fees)	244, 252
GlassRatner Advisory Cap. Gp.	\$103.13 (expenses)	244, 252

R. Williams (J&B PA Receiver)	\$43,266.50	(fees)	260, 266
R. Williams (J&B PA Receiver)	\$676.50	(expenses)	260, 266
Jennis Law Firm (JLF)	\$23,853.50	(fees)	193, 206
Jennis Law Firm (JLF)	\$664.87	(expenses)	193, 206
Moecker Auctions, Inc.	\$265.50	(fees)	256, 262
Moecker Auctions, Inc.	\$600.00	(expenses)	256, 262

6. The Trustee is filing with this Motion an application to pay her fees in the amount of \$68,796.23 as well as the fees of the original Trustee in the amount of \$928.43. The combined fees do not exceed those authorized by Section 330 of the Bankruptcy Code.

7. The Trustee anticipates there will be additional Applications seeking administrative expense claims to the extent additional professional services are needed in this case. The Trustee believes there will be sufficient funds remaining in this estate to pay those claims.

8. The claims bar date is passed. The Trustee has reviewed and resolved all claims filed in this case and there are no outstanding issues regarding the allowed claims.

9. The Trustee is continuing to administer the case and cannot close the case at this time. As of the date of this Motion, the Trustee(s) has recovered \$1,695,250.97 from the liquidation of estate assets. Total disbursements in this case (including banking/technology fees) are \$880,643.90. The Trustee has on hand \$814,607.07 (reduced each month by banking/technology fees). The Trustee believes that it is in the best interest of the estate to distribute \$675,000.00. This distribution would leave a reserve of \$139,607.07 (reduced each month by banking/technology fees) to be distributed in the future, together with any other funds that the trustee is able to recover. This will result in a timely distribution to the sole priority

claimant and a partial distribution to allowed general unsecured claims, and it will greatly reduce the monthly banking/technology service fees incurred by the estate.

10. The Trustee is requesting authority to make an interim distribution as set forth on the attached Exhibit A.

11. At the same time as the filing of the motion, the Trustee served this motion and the proposed distribution on all creditors who have filed a proof of claim, parties who have filed a Notice of Appearance, and parties in interest to provide notice of the compensation requested by each professional, the proposed interim distribution to creditors, and an opportunity for objection.

12. If no party objects to this Motion within the 21-day negative time period, the Trustee requests that this Court consider the applications together with the proposed interim distribution and enter an order approving the same without further notice and hearing. Otherwise, the Trustee requests that Court schedule this matter for hearing.

13. The Trustee will continue to administer this case. Upon completion of the administration of the case, the trustee will file a final report and final account using the uniform reports and in accordance with case closing procedures followed in this district.

WHEREFORE, the Trustee respectfully requests that this Court grant the Motion to Authorize Interim Distribution and Pay Administrative Expenses in accordance with the procedures set forth herein or grant such other and further relief as the Court deems appropriate.

Respectfully submitted,

/s/ Beth Ann Scharrer
Beth Ann Scharrer, Chapter 7 Trustee
Post Office Box 4550
Seminole, FL 33775-4550
Telephone: 727.392.8031
E-Mail: bscharrertrustee@gmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 7, 2018, a true and correct copy of the above was served electronically by transmission of Notices of Electronic Filing generated by CM/ECF to those parties registered to receive electronics notices of filing in this case and by electronic delivery or U.S. mail to the Debtor, Health Support Network, Inc., 5481 Communications Parkway, Sarasota, FL 34240; the Debtor's attorney, Elena Ketchum, 110 E. Madison St., Suite 200, Tampa, FL 33602; and to the Office of the United States Trustee, 501 E. Polk St., Suite 1200, Tampa, FL 33602.

/s/ Beth Ann Scharrer
Beth Ann Scharrer, Chapter 7 Trustee

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In re:

Case No.: 8:15-bk-10966-MGW
Chapter 7

The Health Support Newtork, Inc.

Debtor.

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**NOTICE OF TRUSTEE'S MOTION FOR INTERIM DISTRIBUTION
AND APPLICATIONS FOR COMPENSATION
AND DEADLINE TO OBJECT**

NOTICE OF OPPORTUNITY TO OBJECT AND FOR HEARING

Pursuant to Local Rule 2002-4, the Court will consider the relief requested in this paper without further notice or hearing unless a party in interest files a response within 21 days from the date set forth on the attached proof of service, plus an additional three days for service if any party was served by U.S. mail.

If you object to the relief requested in this paper, you must file a response with the Clerk of the Court, 801 N. Florida Ave., Suite 555, Tampa, FL 33602-3899, and serve a copy on the movant, Beth Ann Scharrer, Chapter 7 Trustee, P.O. Box 4550, Seminole, FL 33775-4550, and on her general counsel, David Jennis, 606 East Madison St., Tampa, FL 33602 and any other appropriate person(s) within the time allowed. If you file and serve a timely response, the Court will either schedule and notify you of a hearing or may consider the response and may grant or deny the relief requested without a hearing.

If you do not file a timely response, the Court will consider that you do not oppose the relief requested in this paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

Pursuant to Fed. R. Bankr. P. 2006(a)(6), please take notice that Beth Ann Scharrer, Successor Chapter 7 Trustee (hereinafter referred to as Trustee) for the Estate of The Health Support Network, Inc., has filed a Motion to make an interim distribution to creditors and the

Trustee has filed interim fee applications, which are summarized in the attached Exhibit A, together with the proposed distribution to creditors.

The Motion and Applications for Compensation are available for inspection at the Office of the Clerk, at the following address: 801 N. Florida Ave., Suite 555, Tampa, FL 33602-3899.

Respectfully submitted,

/s/ Beth Ann Scharrer
Beth Ann Scharrer, Chapter 7 Trustee
Post Office Box 4550
Seminole, FL 33775-4550
Telephone: 727.392.8031
E-Mail: bscharrertrustee@gmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on 5-7-18, a true and correct copy of the above was served electronically by transmission of Notices of Electronic Filing generated by CM/ECF to those parties registered to receive electronics notices of filing in this case and by electronic delivery or U.S. mail to the attached matrix.

/s/ Beth Ann Scharrer
Beth Ann Scharrer, Chapter 7 Trustee

TRUSTEE'S PROPOSED DISTRIBUTION

Case No.: 15-10966-MGW
Case Name: The Health Support Network, Inc.
Trustee Name: Beth Ann Scharrer

Amount to distribute: \$675,000.00

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Andrea P. Bauman, Original Trustee Fees	\$928.43	\$0.00	\$928.43
Beth Ann Scharrer, Successor Trustee Fees	\$68,796.23	\$0.00	\$68,796.23

Total to be paid for chapter 7 administrative expenses: \$69,724.66
Remaining balance: \$605,275.34

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$12,850.00 must be paid in advance of any dividend to general (unsecured) creditors. Allowed priority claims are:

Claim No.	Claimant	Allowed Amt. of Claim	Interim Payments to Date	Proposed Payment
24	Carl Ritter *	\$12,850.00	\$0.00	\$9,713.68

Note: priority wage claim is \$12,850. The net check to the claimant will be \$9,713.68. In addition, the Estate will remit the following applicable withholdings of \$4,119.35 (Federal withholding \$2,153.30, Social Security (12.4%) \$1,593.40, Medicare (2.9%) \$372.65).

Total to be paid to priority claims: \$13,833.03
Remaining balance: \$591,442.31

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$4,495,474.02 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 13.02%, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amt. of Claim	Interim Payments to Date	Proposed Amount
1	Origami Owl	\$0.00	\$0.00	\$0.00
2	Pitney Bowes Global Financial Services	\$989.22	\$0.00	\$128.81
4	Renee VanPatten Photography	\$0.00	\$0.00	\$0.00
5	Chloe and Isabel	\$0.00	\$0.00	\$0.00
6	Mary Kay	\$0.00	\$0.00	\$0.00
7	Jani King Cleaners	\$1,716.00	\$0.00	\$223.45
8	Penske Truck Leasing Co, L.P.	\$16,359.53	\$0.00	\$2,130.31
9	Stan Heinz	\$1,511.25	\$0.00	\$196.79
10	Capital One Bank (USA), N.A.	\$1,677.97	\$0.00	\$218.50
11	Palm Printing	\$3,288.54	\$0.00	\$428.23
12	It Works	\$0.00	\$0.00	\$0.00
13	Kerkering Barberio & Co.	\$0.00	\$0.00	\$0.00
14	Touch of Southern Weddings & Events	\$0.00	\$0.00	\$0.00
15	Kaysa Weiner Photography	\$0.00	\$0.00	\$0.00
16	American InfoSource LP as agent	\$363.36	\$0.00	\$47.32
17	Ward Group PR, Inc.	\$21,258.75	\$0.00	\$2,768.28
18	Mary Kay	\$0.00	\$0.00	\$0.00
192	U.S. Bank Equipment Finance	\$59,629.34	\$0.00	\$7,764.84
20	Ward Group PR, Inc.	\$0.00	\$0.00	\$0.00
21	Aqua Plumbing Services, Inc.	\$0.00	\$0.00	\$0.00
22	Aqua Plumbing Services, Inc.	\$1,232.00	\$0.00	\$160.43
23	Michael's on East Catering & Ballroom	\$1,975.00	\$0.00	\$257.18
24a	Carl Ritter ¹	\$3,570,108.19	\$0.00	\$437,707.83
25	Lisa Schmit	\$0.00	\$0.00	\$0.00
26a	BMO Harris Bank, N.A.	\$812,190.44	\$0.00	\$105,762.24
27	Gulf Coast Community Foundation	\$0.00	\$0.00	\$0.00
28	Florida Power and Light	\$3,174.43	\$0.00	\$413.37

Total to be paid to timely general unsecured claims: \$558,207.58²

¹ The distribution to Carl Ritter is comprised of: (1) the net distribution on the wage portion of his unsecured claim totaling \$46,386.58 (**Exhibit A** and **Exhibit B**) and (2) the net distribution on the non-wage portion of his unsecured claim totaling \$391,321.25 (**Exhibit B**). The total gross unsecured distribution to Carl Ritter on account of Claim 24a is \$464,828.09.

² In addition to the distribution to unsecured creditors totaling \$558,207.58, the Estate will remit withholding taxes totaling \$32,814.73 (**Exhibit A**) and is reserving estimated State of Florida Reemployment and Federal Unemployment taxes totaling \$378 and \$42, respectively (**Exhibit A**). The distribution together with the withholding, reemployment and unemployment taxes totals \$591,442.31.